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| APPLICATION NO.              | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------|-------------|----------------------|---------------------|------------------|
| 09/944,534                   | 08/31/2001  | Blake MingQi Dong    | 47013/PAN/S850      | 3296             |
| 23363                        | 7590        | 02/10/2005           | EXAMINER            |                  |
| CHRISTIE, PARKER & HALE, LLP |             |                      | COSIMANO, EDWARD R  |                  |
| PO BOX 7068                  |             |                      | ART UNIT            |                  |
| PASADENA, CA 91109-7068      |             |                      | PAPER NUMBER        |                  |

3629

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/944,534

Applicant(s)

DONG ET AL.

Examiner

Edward R. Cosimano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/8/02; 8/25/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. Applicant should note the changes to patent practice and procedure:
    - A) effective December 01, 1997 as published in the Federal Register, Vol 62, No. 197, Friday October 10, 1997;
    - B) effective November 07, 2000 as published in the Federal Register, Vol 65, No. 54603, September 08, 2000; and
    - C) Amendment in revised format, Vol. 1267 of the Official Gazette published February 25, 2003.
  2. Applicant's claim for the benefit of an earlier filing data under 35 U.S.C. § 119(e) is acknowledged.
  3. The disclosure is objected to because of the following informalities:
    - A) applicant must update:
      - (1) the application data on:
        - (a) page 5 in regard to application number 09/163,993; and
        - (b) page 8 in regard to application number 09/690,243;with the current status of each of the referenced applications, e.g., --now abandoned--, or --now patent #?--, or --which is abandoned and now serial number #?--, --which is expired--, etc.
- Appropriate correction is required.
4. The specification and drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification or drawings. Applicant should note the requirements of 37 CFR § 1.52, 37 CFR § 1.74, § 1.75, § 1.84(o,p(5)), § 1.121(a)-1.121(f) & § 1.121(h)-1.121(i).
5. 35 U.S.C. § 101 reads as follows:

"Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title".
- 5.1 Claims 1-37 are rejected under 35 U.S.C. § 101 because the invention as claimed is directed to non-statutory subject matter, since:

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A) in regard to claims 1-37, these claims fail to comply with the "requirements this title, namely 35 U.S.C. § 102 as set forth below.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.1 Claims 1-37 rejected under 35 U.S.C. § 102(b) as being clearly anticipated by either Storace (4,811,234) or Hunter (EP 0504843 or 5,243,654) or Broonkner (5,457,642) or Liechti (5,715,164).

6.1.1 In regard to claims 1-37, either Storace ('234) or Hunter ('4843 or '654) or Broonkner ('642) or Liechti ('164) disclose postage metering system which require the operator of the postage metering system to make periodic contacts with a remote data center. During these contacts with the data center meter operation data is uploaded to the data center and the meters are reset by adding additional postage to the meter.

7. The shorten statutory period of response is set to expire 3 (three) months from the mailing date of this Office action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (703) 305-9783. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss, can be reached on (703)-308-2702. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

8.1 The fax phone number for UNOFFICIAL/DRAFT FAXES is (703) 746-7240.

8.2 The fax phone number for OFFICIAL FAXES is (703) 872-9306.

8.3 The fax phone number for AFTER FINAL FAXES is (703) 872-9306.

02/07/05

  
Edward R. Cosimano  
Primary Examiner A.U. 3629

US-PAT-NO: 4811234

DOCUMENT-IDENTIFIER: US 4811234 A

TITLE: Postage meter recharging system

DATE-ISSUED: March 7, 1989

INVENTOR-INFORMATION:

| NAME             | CITY    | STATE | ZIP CODE | COUNTRY |
|------------------|---------|-------|----------|---------|
| Storace; Anthony | Norwalk | CT    | N/A      | N/A     |

US-CL-CURRENT: 705/403, 379/102.01 , 379/106.03

**ABSTRACT:** An electronic postage meter system in which an electronic postage meter is coupled to a data center by way of a communication path to enable recharging of the postage meter. The postage meter includes a register having stored therein the amount of postage which the postage meter is authorized to print. The data center is responsive to a request for recharging the postage meter to indicate the time rate of reduction of the authorized value stored in the postage meter register.

5 Claims, 7 Drawing figures

Exemplary Claim Number: 1

Number of Drawing Sheets: 7

----- KWIC -----

**Abstract Text - ABTX (1):** An electronic postage meter system in which an electronic postage meter is coupled to a data center by way of a communication path to enable recharging of the postage meter. The postage meter includes a register having stored therein the amount of postage which the postage meter is authorized to print. The data center is responsive to a request for recharging the postage meter to indicate the time rate of reduction of the authorized value stored in the postage meter register.

**Brief Summary Text - BSTX (13):** In accordance with a further feature of the invention, the data center for receiving the accounting information from the postage meter, by way of the communication path, includes a program for analyzing the use of the meter, i.e., the time rate of change of authorized funding for the postage meter. For this purpose, the data is preferably provided with non-volatile memory for storing the funding data, and identity of a postage meter each time it is received. Based upon this information, the data center determines the amount of postage that has been printed by the meter between successive recharges thereof, to provide an indication of the usage of the meter. This information is of value to the postage meter user for several reasons. Thus, the determined rate of change provides an indication to the user of the schedule that must be employed in order to maintain adequate funds available for the recharging of the meter. In addition, the information is of value in ascertaining the adequacy of the capabilities of a postage meter currently being employed, i.e., whether the expected life of a meter currently in use is adequate to serve the users needs.

**Brief Summary Text - BSTX (14):** It is therefore an object of the invention to provide a postage meter recharging system that is transparent to the postage meter user. It is a further object to provide a postage meter recharging system which will provide

communication with the data center at a lower cost to the postage meter user and at a predetermined level of funds in the meter, preferably selectable by the user.

Detailed Description Text - DETX (23): Referring now to FIG. 7, therein is illustrated a flow diagram for the data center, for determining the rate of change of funding of the postage meter. Block 600 represents the background routines of the data center, the program periodically updating a date stored in a memory 1 at block 602 so that the current date is always present in this memory. The program loops if a postage meter recharging cycle has not been initiated, as shown by the test at block 604.

US-PAT-NO: 5715164

DOCUMENT-IDENTIFIER: US 5715164 A

**\*\*See image for Certificate of Correction\*\***

TITLE: System and method for communications with postage meters

DATE-ISSUED: February 3, 1998

INVENTOR-INFORMATION:

| NAME                          | CITY          | STATE | COUNTRY |
|-------------------------------|---------------|-------|---------|
| Liechti, deceased; Hans-Peter | late of Berne | N/A   | CH      |
| Merz; Philipp                 | Basel         | N/A   | CH      |
| Baldisserotto; Louis          | Berne         | N/A   | CH      |

US-CL-CURRENT: 705/410, 235/375 , 235/381 , 705/404

**ABSTRACT:** In a communications system, a host computer in a data center communicates with a multiplicity of electronic postage meters via telephone dial-up lines to conduct telemeter setting (TMS) transactions. Through the communications, the host computer may collect statistical data from each meter, and may impose a cumulative postage amount limit, a time limit and/or a piece limit on the meter. To ensure security and data integrity, the communicated data between the meters and the host computer is selectively encrypted and/or authenticated.

88 Claims, 22 Drawing figures

Exemplary Claim Number: 1

Number of Drawing Sheets: 14

----- KWIC -----

Detailed Description Text - DETX (11): In a conventional manner, the descending register in a meter is used to keep track of an amount of postage available for printing. On the other hand, the ascending register is used to keep track of an amount of postage printed. When the value of the descending register decreases over time below a predetermined limit, the meter operation is halted until the meter is reset. In accordance with a conventional TMS prepayment scheme, the reset amount, when approved, is added to the current value of the descending register, and the meter may then resume its operation.

Detailed Description Text - DETX (30): Similarly, when a meter user surrenders a meter to an authority, the unused postage will be refunded. In addition, the meter will be disabled to prevent an unauthorized access to the meter. Such surrender of the meter can be achieved by specifying the control and subcontrol bytes of control request field 603 to be 80 (hexadecimal) and 03 (hexadecimal), respectively, as indicated in row 689. In a postpayment scheme where no refund is required in the surrender of the meter, such surrender may be accomplished by setting the control and subcontrol bytes of control request field 603 to be 40 (hexadecimal) and 03 (hexadecimal), respectively, as indicated in row 691. With this setting, the authority is able to read the counters in the meter the last time before the meter is disabled to prevent an unauthorized access thereto.



Detailed Description Text - DETX (65): Similar to the format of meter data and time field 615 previously described, site date and time field 1011 includes six bytes representative of a time reference used to set the meter's date and time to correct values. Again, this time reference is in accordance with the standard GMT.

Claims Text - CLTX (9): 2. The device of claim 1 wherein said at least one charge class is associated with a predetermined mail class type.

Claims Text - CLTX (33): 10. The system of claim 9 wherein said at least one charge class is associated with a predetermined mail class type.

Claims Text - CLTX (98): 48. The method of claim 47 wherein said at least one charge class is associated with a predetermined mail class type.

Claims Text - CLTX (120): 56. The method of claim 55 wherein said at least one charge class is associated with a predetermined mail class type.